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PTO/SB/21 (6-99)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/651,840
Filing Date	August 29, 2003
First Named Inventor	Richard G. Cartledge
Group/Art Unit	3731
Examiner Name	Natalie R. Pous
Attorney Docket Number	42749-0010

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ Exhibits
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☒ Information Disclosure Statement with PTO-1449s
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Status Claimed
- ☐ Statement under 3.73(b)

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Status Letter

☒ Additional Enclosure(s) (please identify below):

15 Foreign References (77 Cited) and Return Receipt Postcard

Remarks

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 (ATTORNEY DOCKET NO.: 42749-0010) FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.**

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Paul Davis, Reg. No. 29,294, HELLER EHRMAN LLP		
Signature			
Date	March 2, 2006	Customer Number:	25213

## CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450			
Typed or printed name	Jason A. Gopzalez		
Signature		Date	March 2, 2006

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Jason Gonzalez



**PATENT**

**Attorney Docket No.: 42749-0010**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventor(s): Richard G. Cartledge, et al.

Application No.: 10/651,840

Filed: August 29, 2003

Title: Implantable Devices for Controlling the Internal  
Circumference of an Anatomic Orifice or Lumen

Art Unit: 3731

Examiner: Natalie R. Pous

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. §1.97**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each cited pending unpublished U.S. application, and all additional publications other than U.S. patents and U.S. patent application publications. 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

03/08/2006 WABDELRI 00000006 081641 10651840

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- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 42749-0010).

Respectfully submitted,

HELLER EHRMAN LLP

By: 

Paul Davis

Reg. No.: 29,294

Dated: 32.06

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**INFORMATION DISCLOSURE  
STATEMENT**
**PTO-1449**
**ATTY. DOCKET NO.**

42749-0010

**SERIAL NO.**

10/651,840

**APPLICANT:** Richard G. Cartledge, et al.

**FILING DATE:** 08/29/2003

**GROUP:** 3731

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US 2003/0050693	03/13/2003	Rodolfo C. Quijano, et al.	623	2.11	
	US 2003/0074012	04/17/2003	John D. Nguyen, et al.	606	139	
	US 2003/0093148	05/15/2003	Steven F. Bolling, et al.	623	2.36	
	US 2003/0199974	10/23/2003	Andrew Lee, et al.	623	2.36	
	US 2004/0019378	01/29/2004	Edwin J. Hlavka, et al.	623	2.11	
	US 2004/0030382	02/12/2004	Frederick G. St. Goar, et al.	623	2.36	
	US 2004/0088047	05/06/2004	Paul A. Spence, et al.	623	2.36	
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	US 2004/0148021	07/29/2004	Richard G. Cartledge, et al.	623	2.37	
	US 2004/0153147	08/05/2004	Mark L. Mathis	623	2.37	
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	US 2004/0249453	12/09/2004	Richard G. Cartledge, et al.	623	2.37	
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	US 2005/0065550	03/24/2005	Niel F. Starksen, et al.	606	219	
	US 2005/0070999	03/31/2005	Paul A. Spence	623	2.37	
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	5,102,417	04/07/1992	Julio C. Palmaz	606	195	
	5,411,552	05/02/1995	Henning R. Anderson, et al.	623	2	
	5,423,851	06/13/1995	Shaun L. W. Samuels	606	198	
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	5,769,812	06/23/1998	John H. Stevens	604	4	
	5,814,097	09/29/1998	Wesley D. Sterman, et al.	623	2	
	5,908,435	06/01/1999	Shaun L. W. Samuels	606	200	
	5,972,030	10/26/1999	Michi E. Garrison, et al.	623	2	
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			ATTY. DOCKET NO. 42749-0010		SERIAL NO. 10/651,840	
			APPLICANT: Richard G. Cartledge, et al.			
			FILING DATE: 08/29/2003		GROUP: 3731	
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,984,959	11/16/1999	John Charles Robertson, et al.	623	2	
	5,989,284	11/23/1999	Michael D. Laufer	607	96	
	6,269,819	08/07/2001	Mehmet C. Oz, et al.	128	898	
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	6,793,673	09/21/2004	Leonard Kowalsky, et al.	623	2.36	
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	6,893,459	05/17/2005	John Macoviak	623	2.11	
EXAMINER			DATE CONSIDERED			

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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			ATTY. DOCKET NO. 42749-0010		SERIAL NO. 10/651,840		
			APPLICANT: Richard G. Cartledge, et al.				
			FILING DATE: 08/29/2003		GROUP: 3731		
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	6,908,482	06/21/2005	Patrick M. McCarthy, et al.	623	2.36		
	6,921,407	07/26/2005	John D. Nguyen, et al.	606	142		
	6,926,715	08/09/2005	Wallace Nell Hauck, et al.	606	41		
	6,942,694	09/13/2005	John R. Liddicoat, et al.	623	2.36		
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 1 554 990	07/20/2005	EP	A61F	2/00	<input type="checkbox"/>	<input type="checkbox"/>
	WO 1999/030647	06/24/1999	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/012583	02/12/2004	WIPO	A61B		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/060217	07/22/2004	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/112585	12/29/2004	WIPO	A61B		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/112651	12/29/2004	WIPO	A61F		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/112658	12/29/2004	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/007036	01/27/2005	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/007037	01/27/2005	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/007219	01/27/2005	WIPO	A61M		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/009285	02/03/2005	WIPO	A61F		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/025644	03/24/2005	WIPO	A61M		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/046488	05/26/2005	WIPO	A61B	17/00	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/055883	06/23/2005	WIPO	A61F	2/06	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/062931	07/14/2005	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
EXAMINER			DATE CONSIDERED				

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